

REMARKS

Applicant requests reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 21-29, 31-33, 35-39, and 41 are pending in the present application. Claims 21 and 41 are independent claims.

Claims 1-17, 30, 34, and 40 have been cancelled without prejudice to or disclaimer of the subject matter recited therein. Claim 21 has been amended. Claim 41 is newly-presented. No new matter has been added.

Initially, Applicant acknowledges with appreciation the indication that claims 15 and 34 recite patentable subject matter and would be allowable if rewritten to include all of the features of their respective base claims and any intervening claims. By the present Amendment, claims 15 and 34 have been cancelled and independent claim 21 has been amended to recite the features of cancelled claim 34. Independent claim 21 has also been amended to include various features of the intervening claims, as necessary to satisfy 35 U.S.C. § 112. Claims 22-29, 31-33, and 35-39 variously depend from independent claim 21. Accordingly, it is respectfully submitted that claims 21-29, 31-33, and 35-39 are now in allowable form

Claims 2-16 and 40 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. By the present Amendment, claims 2-16 and 40 have been cancelled. Accordingly, it is respectfully submitted that the rejection under the second paragraph of 35 U.S.C. § 112 is moot.

Claims 1-3, 7-11 and 22 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,375,183 (Inoue et al.). Claims 4, 5, 12, and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Inoue et al. Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Inoue et al., and in further in view of U.S. Patent Publication No. 20020113364 (Hsieh et al.). Claims 14 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Inoue et al., and in further in view of Japanese Publication No. 4-201933. Claims 21, 23-32 and 36-39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Inoue et al., and in view of Japanese Publication No. 4-201933.

All of the rejections under 35 U.S.C. §§ 102 and 103 are respectfully traversed by the inclusion of subject matter indicated as allowable, as explained above or are rendered moot by cancellation of rejected claims.

Applicant respectfully submits that newly-presented claim 41 patentably defines the

present invention over the citations of record at least because of the recitation "an exciting unit vibrating the picked up one of the papers, the exciting unit being a pair of exciting units at each end of a power transferring unit transferring power to the main pickup roller," which recitation is not disclosed by the asserted citations.

In view of the foregoing, Applicant respectfully submits that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicant submits that this Amendment After Final Rejection clearly places the subject application in condition for allowance. This Amendment was not earlier presented because Applicants believed that the prior Amendment placed the subject application in condition for allowance. Accordingly, entry of the instant Amendment as an earnest attempt to advance prosecution and reduce the number of issues is requested under 37 C.F.R. § 1.116.

Applicant believes that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, The Examiner is requested to telephone the undersigned to attend to such matters.

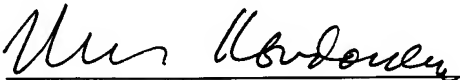
There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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